UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION – DETROIT

FILED

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U.S. BANKRUPTCY
E.D. MICHIGAN-DETROIT

In the matter of:

CITY OF DETROIT, MICHIGAN Case No. 13-53846-swr
Chapter 9
______________________Debtor____/ Hon. STEVEN W. RHODES

OBJECTION TO CITY OF DETROIT'S PLAN OF ADJUSTMENT [DOCKET 4392]

FILED BY:__Mary Jo Vortkamp___________
_________________________________ hereby states his/her/their OBJECTION TO:
CITY OF DETROIT'S PLAN OF ADJUSTMENT
for the following reasons.
1. I / we am/are interested in the Bankruptcy of the City of Detroit because
__I am a library employee covered by the retirement system and my parents are covered by the general retirement system.

2. I / we object to the above filing because:
_____Article I A. "Annuity Savings Fund Excess Amount" is illegal. The employees did not do that to themselves, the pension fund did it and the city allowed it and it's not illegal. If any of those were true, they should have stopped it when it happened.

__20% cut in Annuity savings fund + 85 % cut in benefits + 4.5 % overall cut is more than the bond holder took.

I A 21._Even the IRS can only go back 3 years to assess additional liabilities. Ten years is excessive.____

3. I have/ have not attached additional sheets to explain and establish my position.

I hereby certify that the statements made herein are true and correct under penalty of perjury and contempt of Court under the laws of the United States of America. Wherefore I/ we request the Court will deny the relief sought in said filing.

Name:___Mary Jo Vortkamp_________________________
Signature:____________________________
Address:___57880 Rosell______________________
__________New Haven, MI 48048_________________
Email: _____mary313franklin@gmail.com___________
Dated: 5/8/14

I object to The Trust. I did not see language to specify that the entities handling the money (the bank) would be chosen through a public, transparent bidding process, to ensure the proper handling of taxpayers money.

- I object to " 8.1 Investment Policy. The Board shall establish an overall investment policy for the Retirement System which policy shall set forth the Retirement System's investment objectives, asset allocation and rebalancing guidelines, performance benchmarks for strategic asset allocation and such other aspects of investment policy as the Board shall deem necessary or appropriate. The Board may employ independent asset allocation managers and other professionals approved in advance by the State of Michigan to assist it in the development and revision of an investment policy and the selection of investment managers as provided in Section 8.2." (page 302) I object to the State having leadership over the pension fund and their fund managers. The State's MERS fund is not well funded. That is like hiring a roofer with a leaky roof on his house to fix yours. This is the pensioners' livelihoods, not just some random investments with losses that could be written off. It is not in the best interest of Detroit going forward.

- I object to the pension plan because it does not say how the new trustees would be elected. If the assumption is (and there should be no room for assumptions in a bankruptcy plan) that they are not elected, but selected, I object to that. There is extraordinary value in being in a position of economic power that is elected – the fear of losing the position drives the person to do a good job. In the American Revolution, the Americans believed the same thing, breaking away from a non-elected official (the King of England) to have an elected government that would represent their interests.

- I object to the loss of COLA. Who knows how inflation will be?

- I object to "The Board of Trustees shall consist of five (5) voting members, all of whom shall be residents of the State of Michigan and none of whom may be an employee, contractor, agent or affiliate of the City or any labor union representing employees of the City, a member of any such labor union, or a Member or Beneficiary of the Retirement System." (PDF Page 251) and "8.3 Investment Manager Appointment. The Board, from time to time, shall appoint one or more independent investment managers selected from a list of approved investment managers maintained by the State of Michigan, pursuant to a written investment management agreement describing the powers and duties of the investment manager, to direct the investment and reinvestment of all or a portion of the Trust (hereinafter referred to as an "Investment Account"). The removal of an investment manager and appointment of a new investment manager shall require the advance written approval of the State of Michigan, except to the extent that a new investment manager shall be selected from the list of approved investment managers maintained by the State of Michigan." (PDF page 241 PFRS Trust Agreement). I object that it will not include members who are retirees. It is retirees' money and they really care about the returns of the members because they directly benefit. I object to this State of Michigan list of approved investment managers. How is it picked and why? The GRS and PFRS is already better funded than MERS so how are they in a position of expertise to make this list? What is the criteria for the list? Considering that this will give those managers quite

a lot of money – fees are neither capped nor noted in the plan. Who is on that list? I would expect that to be an exhibit.

- On page 21 I object to the word "duly" in front of mayor. The mayor was not, in my opinion, properly elected as I expressed in my objection to the disclosure and disclsure objection exhibit A (the sampling of different ballots in the similar/near exact handwriting).

- I object to being given a document with assorted "fill in the blanks" where there are dollar amounts involved, such as page 77. "The Bank will apply the assets of the Trust Fund to pay its own fees in the amounts and on the dates [set forth in Exhibit A]. The Bank's compensation shall constitute a lien on the Trust Fund." Also on page 90, Bank Compensation is blank. On PDF page 38 this blank is the amount the DWSD will be putting into the pensions which is a crucial amount. To allow objections until May 1 with "fill in the blanks" empty seems questionable at best. I am also concerned that if the DWSD would be sold, what force would make them make these payments? Indeed if the private company or equity firm may choose to not pay ,or if the DIA funders would not pay, it would set up a domino effect onto the pensioners.

- I object to the claw back of annuities. If there really was a problem with the amount of interest given, that should have been taken care of at the time it happened. It is unjust to take back money people were given in good faith. If you claw back this, to be just and equitable, there is a lot Detroit can claw back from banks – from swaps, predatory loans and more. Detroit should also then be clawing back any interest banks made off Detroit's payments.

- I object to PDF page 266 II. MODIFICATIONS TO THE CITY'S RETIREE HEALTH CARE PLAN FOR THE PERIOD MARCH 1, 2014 THROUGH DECEMBER 31, 2014 The city is charging retirees for their dental and vision AND an exorbitant administrative fee. Who is getting that fee?

- I object to this prargraph. "The total aggregate State Contribution is equal to the net present value of $350,000,000 payable over 20 years determined using a discount rate of 6.75%, which results in a total contribution by the State of $199,600,000. The State Contribution shall only be used to fund payments to holders of GRS Pension Claims and PFRS Pension Claims, each as defined in the Plan." (page 249)

- I object to the assertion that in so many places, like on page 46 and 49 and 51, and throughout the document, it says the pensioners cannot sue once this is over. p138 "(vii) Any action or claim against the Indemnified Parties made by the Pensions, including any successors or assigns and any plan participants, or their representatives, successors or assigns (collectively, the "Pension Funds"), as nothing under the Term Sheet or the Definitive Documentation is intended to, nor are they to be construed or interpreted to, make the Indemnified Parties a party in privity with, or having an obligation in any capacity to the Pension Funds. By way of illustration and not limitation, the following statements apply: First, the Indemnified Parties have no responsibility for the operation or

administration of the Pension Funds and have no fiduciary responsibility for the Pension Funds as plan sponsor, plan administrator, investment advisor or otherwise. Second, the Indemnified Parties have no obligation to contribute towards the funding of the Pension Funds and are not a funding guarantor."

- I object to the whole DIA and funding parties deal. The plan itself mentions over and over that it is not guaranteed. For example Page 117 "Or (ii) cancellation of that payment if the material requisite conditions are not met within any established cure period." P 128 The DIA acknowledges that the Foundation Funders and the Supporting Organization have no financial obligations other than, in the case of the Foundation Funders, the amount specified in the "Funding Commitments" of this Term Sheet and are not guaranteeing payment to the City of any amount committed by the DIA Funders or The DIA." On page 130 "The City's ability to receive the benefit of the extended cure period, beyond the initial cure period, shall be subject to the approval of the Supporting Organization upon receipt of a written request from the City setting forth why the City is entitled to such extended cure period by meeting the requirements set forth above, which approval shall not be unreasonably withheld, conditioned or delayed. All obligations of the Funders and Supporting Organization to make payments shall be suspended for the duration of the cure period. If the City fails to cure a breach or failure during the cure period each Funder and the Supporting Organization shall have the right to cancel its remaining commitments." It could easily hurl all retirees into poverty. Again it would be a domino set up – if the funding parties decide to not pay, the retirees could be hurled into poverty. It is a high risk gamble that should not be taken with seniors' livelihoods and hard earned money. It leaves Detroit in a worse position than before bankruptcy.

- I object to "In the event of a liquidation of The DIA, the Museum Assets will be transferred only to another not-for-profit entity (which entity shall be subject to the reasonable approval of the City and the Supporting Organization, if then in existence, and otherwise by majority vote of the City and the then-existing Foundation Funders). Such successor entity would subject itself to the same conditions as set forth in this Term Sheet and the Definitive Documentation, including but not limited to holding the Museum Assets in perpetual charitable trust for the people of the City and the State, including the citizens of the Tri- Counties. For the purposes of determining the majority vote described above, and for the avoidance of doubt, the parties agree that the City and each of the then-existing Foundation Funders shall each have one vote with respect to such approval." Page 125 (4) I object to this and all pertaining to the DIA because how are the funding parties representatives of the citizens of Detroit, to whom the art belongs? Were they elected by us? Were their boards in any way chosen by the people of Detroit? How could they be vested with the power to transfer the assets that belong to the people of Detroit?

- I object to page 72, Section 2.4 "No Guarantee. Nothing contained in the Trust or the Plan shall constitute a guarantee that the assets of the Trust Fund will be sufficient to pay any benefit to any person or make any other payment." The plan is no guarantee of benefits. Pensioners put their own money in for their whole work lives. It is unwise to put them into a scheme that is not guaranteed.

- I object to the following service providers if they were NOT bidded out properly, which I cannot tell from the submitted information in the plan: Heritage Vision Plan, Golden Dental, Aon Hewitt, Blue Cross, Susan Nelson from Boston and Flex-Plan Inc from Washington (state) being used for healthcare and any other specifically named entities I may have missed. If they were not bidded out properly, how can the city be sure they are getting the best price and service. If they were not bidded out, how is this improving the financial future for Detroit?

- The pension funding will be restored once the pension funds get to a certain level in the future---of which PFRS already is and the GRS is. I object to the 6.75% rate. "For the period ending June 30, 2023, the restoration trigger percentage will be 78% based on the then market value of assets projected forward using an assumed 6.75% investment return and future benefit discount rate." (page 38)

- I object that this bankruptcy plan requires the waiving of exercising constitutional rights. (f) cessation of all litigation, including the cessation of funding of any litigation initiated by any other party, (i) challenging PA 436 or any actions taken pursuant to PA 436 as it relates to the City or (ii) to enforce Article IX, Section 24 of the Michigan Constitution, or equivalent assurances of finality of such litigation;" (page 52) Are then stating that the bankruptcy agreement, and bankruptcy court, if approving this plan, is above the constitution? I thought the courts were to enforce the constitution.

- I implore the court, Secretary Jack Lew and President Obama stop this bankruptcy and investigate every step of this process. This plan of adjustment does not set Detroit up for brighter days. It sets Detroit up to fail. This is no opportunity Detroit – not for the impoverished children I work with, not for seniors, not for the legions of young adults with no jobs. This is an opportunity to demolish houses with Hardest Hit money to prep for developers to profit instead of using the money to help Detroiter's keep their homes. It is the opportunity for a political agenda counter to the will of the people of Detroit that pushes privatization, not for the readjustment of debts for the city. This is an opportunity for the movement to privatize water and profit off a basic need, getting the water industry a foot in the door in a city vehemently opposed to water privatization, that has protected this asset that serves most of southeastern Michigan. This is an opportunity to spin off the Detroit Institute of Arts in some weird scheme that will most likely not benefit pensioners, Detroiters, artists or southeastern Michigan. This is an opportunity for the State to control the pension fund, its investments and its governance and transfer those to a group of people who have no investment in the PEOPLE who the fund is connected to.

- Indeed, this process makes me wonder if I and the rest of Detroiters, are Americans with the rights guaranteed under the US and Michigan constitutions. I know I was born in Detroit, Michigan, United States, but I don't feel that this process has protected my rights, the rights of my family, friends and neighbors. It is time for the court to reexamine the use of bankruptcy in a municipal context and in a democracy. It is undemocratic and in my opinion it seems to be being used to force a political agenda that is contrary to the will of the people of the United States. I would be remiss to not note

this. No other city should ever have to suffer this unjust process. It drains resources of already ailing cities, worries everyone so much it affects their health, and the end result is abyssmal. A much better alternative would have been a forensice audit, an investigation of wrongdoing, clean elections, suing the banks for everything they have done to Detroit, and stronger regulations to be sure federal/state money intended for communites in Detroit actually gets to the Detroiters and the communites we live in. That path would have led to a healthy Detroit. A healthy Detroit would lead to to a healthier United States. I would think that is what the court and executive branch of the government should want, but I don't see that in action. This plan and its related documents horrifies me for the future of the children of Detroit and for the future of any othe city that municipal bankruptcy will be used on.